

- E1
- (1) adding 1 gram of said solid mixed metal compound to 25 ml of 40 mmol l<sup>-1</sup> sodium phosphate buffer solution, homogenizing and gently agitating at room temperature of 30 minutes, centrifuging at 3000 rpm for 5 minutes, filtering through 0.22 µm millipore filter and measuring the soluble phosphate in the supernatant thus produced;
  - (2) adding 1 gram of said solid mixed metal compound to 25 ml of 20 mmol l<sup>-1</sup> sodium phosphate buffer solution, homogenizing and gently agitating at room temperature for 30 minutes, centrifuging at 3000 rpm for 5 minutes, filtering through 0.22 µm millipore filter and measuring the soluble phosphate in the supernatant thus produced;
  - (3) mixing 250 ml milk, 50 g cornflakes, 2 slices bread and 5 mg marmite in a stomacher containing 0.01 M HCl for 30 minutes, removing a 20 ml aliquot and measuring the phosphate content of a supernatant obtained from said aliquot, adding 2 g of said solid mixed metal compound to the contents of the stomacher, mixing for a further 30 minutes, taking another aliquot of food and measuring the phosphate content of a supernatant obtained from this aliquot.
- SUB #1

12 (Twice Amended) A solid mixed metal compound having phosphate binding capacity, and useful as a medicament, comprising a hydroxy carbonate containing iron (III) and magnesium metals, further containing sulphate, chloride, oxide or mixtures thereof and free from aluminum, and having a phosphate binding capacity of at least 30% by weight, as measured by any of the test methods 1, 2 or 3, over a pH range of 2 to 8;

- E2
- (1) adding 1 gram of said solid mixed metal compound to 25 ml of 40 mmol l<sup>-1</sup> sodium phosphate buffer solution, homogenizing and gently agitating at room temperature of 30 minutes, centrifuging at 3000 rpm for 5 minutes, filtering through 0.22 µm millipore filter and measuring the soluble phosphate in the supernatant thus produced;
  - (2) adding 1 gram of said solid mixed metal compound to 25 ml of 20 mmol l<sup>-1</sup> sodium phosphate buffer solution, homogenizing and gently agitating at room temperature for 30 minutes, centrifuging at 3000 rpm for 5 minutes, filtering
- SUB #1

through 0.22  $\mu\text{m}$  millipore filter and measuring the soluble phosphate in the supernatant thus produced;

- E2
- (3) mixing 250 ml milk, 50 g cornflakes, 2 slices bread and 5 mg marmite in a stomacher containing 0.01 M HCl for 30 minutes, removing a 20 ml aliquot and measuring the phosphate content of a supernatant obtained from said aliquot, adding 2 g of said solid mixed metal compound to the contents of the stomacher, mixing for a further 30 minutes, taking another aliquot of food and measuring the phosphate content of a supernatant obtained from this aliquot.
- SUB 4-1

20<sup>3</sup> (Amended) A method for treating hyperphosphataemia, in an animal in need thereof, which comprises administering to said animal, a therapeutically effective amount of a solid mixed metal compound having phosphate binding capacity, and comprising the compound obtained as a precipitate from a solution of a mixture of metallic salts, free from aluminum, and containing iron (III) and at least one additional metal selected from the group consisting of magnesium, calcium, lanthanum and cerium, said compound having a phosphate binding capacity of at least 30%, as measured by any of the following test methods (1), (2) or (3), over a pH range of from 3 to 7;

- E3
- (1) adding 1 gram of said solid mixed metal compound to 25 ml of 40 mmol  $\text{l}^{-1}$  sodium phosphate buffer solution, homogenizing and gently agitating at room temperature of 30 minutes, centrifuging at 3000 rpm for 5 minutes, filtering through 0.22  $\mu\text{m}$  millipore filter and measuring the soluble phosphate in the supernatant thus produced;
- (2) adding 1 gram of said solid mixed metal compound to 25 ml of 20 mmol  $\text{l}^{-1}$  sodium phosphate buffer solution, homogenizing and gently agitating at room temperature for 30 minutes, centrifuging at 3000 rpm for 5 minutes, filtering through 0.22  $\mu\text{m}$  millipore filter and measuring the soluble phosphate in the supernatant thus produced;
- (3) mixing 250 ml milk, 50 g cornflakes, 2 slices bread and 5 mg marmite in a stomacher containing 0.01 M HCl for 30 minutes, removing a 20 ml aliquot and measuring the phosphate content of a supernatant obtained from said aliquot, adding 2 g of said solid mixed metal compound to the contents of the
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E3  
SUB HT  
stomacher, mixing for a further 30 minutes, taking another aliquot of food and measuring the phosphate content of a supernatant obtained from this aliquot.

See the attached Appendix for the changes made to effect the above claims.

Please add the following claims:

E4  
--26 (New) A solid mixed metal compound, having phosphate binding capacity, and useful as a medicament, comprising the compound obtained as a precipitate from a solution of a mixture of metallic salts, free from aluminum, and containing (i) hydroxyl and/or carbonate ions; (ii) sulphate, chloride, oxide, or mixtures thereof; (iii) iron (III) and (iv) at least one additional metal selected from the group consisting of magnesium, calcium, lanthanum and cerium, said compound having a phosphate binding capacity of at least 30%, as measured by any of the following test methods (1), (2) or (3), over a pH range of from 2 to 8;

- (1) adding 1 gram of said solid mixed metal compound to 25 ml of 40 mmol l<sup>-1</sup> sodium phosphate buffer solution, homogenizing and gently agitating at room temperature of 30 minutes, centrifuging at 3000 rpm for 5 minutes, filtering through 0.22 µm millipore filter and measuring the soluble phosphate in the supernatant thus produced;
- (2) adding 1 gram of said solid mixed metal compound to 25 ml of 20 mmol l<sup>-1</sup> sodium phosphate buffer solution, homogenizing and gently agitating at room temperature for 30 minutes, centrifuging at 3000 rpm for 5 minutes, filtering through 0.22 µm millipore filter and measuring the soluble phosphate in the supernatant thus produced;
- (3) mixing 250 ml milk, 50 g cornflakes, 2 slices bread and 5 mg marmite in a stomacher containing 0.01 M HCl for 30 minutes, removing a 20 ml aliquot and measuring the phosphate content of a supernatant obtained from said aliquot, adding 2 g of said solid mixed metal compound to the contents of the stomacher, mixing for a further 30 minutes, taking another aliquot of food and measuring the phosphate content of a supernatant obtained from this aliquot.
- SUB HT
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<sup>4</sup>  
~~27. (New) Method according to claim <sup>3</sup>20, wherein the solid mixed metal compound contains hydroxyl ions and/or carbonate ions.~~

<sup>5</sup>  
~~28. (New) Method according to claim <sup>4</sup>27, wherein the solid mixed metal further contains sulphate, chloride, oxide or mixtures thereof.~~

<sup>7</sup>  
~~29. (New) A method for treating hyperphosphataemia, in an animal in need thereof, which comprises administering to said animal, a therapeutically effective amount of a solid mixed metal oxide compound having phosphate binding capacity, and comprising the compound obtained as a precipitate from a solution of a mixture of metallic salts, free from aluminum, and containing iron (III) and at least one additional metal selected from the group consisting of magnesium, calcium, lanthanum and cerium, said compound having a phosphate binding capacity of at least 30%, as measured by any of the following test methods (1), (2) or (3), over a pH range of from 2 to 8;~~

- E4
- ~~(1) adding 1 gram of said solid mixed metal compound to 25 ml of 40 mmol l<sup>-1</sup> sodium phosphate buffer solution, homogenizing and gently agitating at room temperature of 30 minutes, centrifuging at 3000 rpm for 5 minutes, filtering through 0.22 µm millipore filter and measuring the soluble phosphate in the supernatant thus produced;~~
  - ~~(2) adding 1 gram of said solid mixed metal compound to 25 ml of 20 mmol l<sup>-1</sup> sodium phosphate buffer solution, homogenizing and gently agitating at room temperature for 30 minutes, centrifuging at 3000 rpm for 5 minutes, filtering through 0.22 µm millipore filter and measuring the soluble phosphate in the supernatant thus produced;~~
  - ~~(3) mixing 250 ml milk, 50 g cornflakes, 2 slices bread and 5 mg marmite in a stomacher containing 0.01 M HCl for 30 minutes, removing a 20 ml aliquot and measuring the phosphate content of a supernatant obtained from said aliquot, adding 2 g of said solid mixed metal compound to the contents of the stomacher, mixing for a further 30 minutes, taking another aliquot of food and measuring the phosphate content of a supernatant obtained from this aliquot.~~

<sup>4</sup>  
30. (New) Method according to claim <sup>7</sup>29, wherein the solid mixed metal compound contains hydroxyl ions and/or carbonate ions.

<sup>9</sup>  
31. (New) Method according to claim <sup>5</sup>30, wherein the solid mixed metal further contains sulphate, chloride, oxide or mixtures thereof.

<sup>10</sup>  
32. (New) A method for treating hyperphosphataemia, in an animal in need thereof, which comprises administering to said animal, a therapeutically effective amount of a solid mixed metal compound having phosphate binding capacity, and comprising a hydroxy carbonate containing iron (III) and magnesium metals, further containing sulphate, chloride, oxide or mixtures thereof and free from aluminum, and having a phosphate binding capacity of at least 30% by weight, as measured by any of the test methods 1, 2 or 3, over a pH range of 2 to 8;

- E4
- (1) adding 1 gram of said solid mixed metal compound to 25 ml of 40 mmol l<sup>-1</sup> sodium phosphate buffer solution, homogenizing and gently agitating at room temperature of 30 minutes, centrifuging at 3000 rpm for 5 minutes, filtering through 0.22 µm millipore filter and measuring the soluble phosphate in the supernatant thus produced;
  - (2) adding 1 gram of said solid mixed metal compound to 25 ml of 20 mmol l<sup>-1</sup> sodium phosphate buffer solution, homogenizing and gently agitating at room temperature for 30 minutes, centrifuging at 3000 rpm for 5 minutes, filtering through 0.22 µm millipore filter and measuring the soluble phosphate in the supernatant thus produced;
  - (3) mixing 250 ml milk, 50 g cornflakes, 2 slices bread and 5 mg marmite in a stomacher containing 0.01 M HCl for 30 minutes, removing a 20 ml aliquot and measuring the phosphate content of a supernatant obtained from said aliquot, adding 2 g of said solid mixed metal compound to the contents of the stomacher, mixing for a further 30 minutes, taking another aliquot of food and measuring the phosphate content of a supernatant obtained from this aliquot.--
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